

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

WP(C).No. 30721 of 2006(G)

PETITIONER:

1. S.AJIKUMAR,
NADUVILA PUTHEN VEEDU,
PALLITHRARA, VELLANADU, THIRUVANANTHAPURAM.
2. P.KAMALRAJ,
KANAKA NIVAS, KADUKKAMOODU,
URIYAKKODU P.O., MULAYARA, VELLANADU,
THIRUVANANTHAPURAM.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR

RESPONDENTS:

1. STATE OF KERALA,
REP. BY THE SECRETARY,
CO-OPERATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.
2. THE JOINT REGISTRAR,
CO-OPERATIVE SOCIETIES (GENERAL),
VANCHIYOOR, THIRUVANANTHAPURAM.
3. VELLANADU SERVICE CO-OPERATIVE BANK
LTD. NO. 2379, REP. BY ITS SECRETARY,
VELLANADU P.O., THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER P.N. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J.M.JAMES, J.

W.P.(C). 30721/2006

Dated this 21st day of November, 2006

JUDGMENT

Heard the learned counsel for the writ petitioners and the Senior Government Pleader for respondents 1 and 2.

2. It is submitted by the learned counsel that election in the third respondent, Service Co-operative Bank, is scheduled to be held on Sunday, 24.12.2006, which is prior to the next holiday, 25.12.2006, when majority of the members of the third respondent, bank, will be engaged in celebrating Christmas. Because of the religious functions, most of the members would not be able to go and participate in the election of the third respondent. It is also submitted by the counsel that fixing of the date on a Sunday, just prior to the date of Christmas, is with a malafide intention, so that the majority of the members will be completely prevented from participating in the election. It is further submitted

that the petitioners had made Ext.P2 representation dated 18.11.2006, before the second respondent, and the same is pending. The counsel therefore, prayed that the election may be directed to be held on any days other than 24th and 25th. Even 23.12.2006 or 26.12.2006 would not cause much inconvenience.

3. In the above facts situation, I direct the second respondent to take an immediate decision, in any case within seven days from the date of production of a copy of this judgment before the second respondent, on the fixing of a suitable date for election, and till such time, the second respondent shall ensure that the State Co-operative Election Commission do not issue any notification for holding the election on 24.12.2006.

The writ petition is disposed of as above.

Hand over.

J.M.JAMES
JUDGE

mrCS